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Taking the right to exit seriously

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ABSTRACT

Both diversity and autonomy liberals agree that adults have the right to exit from voluntary associations. As children do not have this right, the paradoxical character of the upbringing of children in fundamentalist and ultra-orthodox communities is evident. Diversity liberals like Galston and Spinner-Halev seem to take an ambivalent position with regard to the right to exit, because they want to defend both the child's future right to exit, which requires particular capacities, as well as the parental right to upbringing according to their conception of the good even if this undermines the required capacities.

We defend that people need to be at least autarchic, that is self-determining and morally accountable, in order to be able to exercise their right to exit. Since this right is a civic freedom right, the state has the right and duty to ensure that children will be able to develop into autarchic persons. Therefore, our claim is that school education should aim for minimal autonomy and that such education should be compulsory. We argue that this will not undermine legitimate diversity and therefore that Galston and Spinner-Halev should be able to take an unequivocal position.

KEYWORDS *autarchy, autonomy, children's rights, diversity liberalism, parental rights, right to exit*

INTRODUCTION

REPRESENTATIVES OF BOTH political and diversity liberalism claim that the state must grant religious communities and groups the right to enable their members to maintain their religious identity and to establish the same identity in their offspring. Parents have the right to initiate their children into their religious beliefs and practices as well as the right to found denominational

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schools for them. According to autonomy liberalism, however, these rights should never impede or interfere with the right of children to develop into autonomous persons later in life. Consequently, in this view the state should see to it that in upbringing and schooling parents and teachers do not infringe this fundamental right.

Surely, liberals from all strands agree that adults from ultra-orthodox and fundamentalist communities can decide for themselves to live their lives in a non-autonomous way and to subject themselves freely to rules that curtail almost every aspect of their doings. Minors are not given this particular right, because they have not yet reached the years of discretion. The paradoxical character of the upbringing of children in such communities will then be evident: as children they do not have the right to make such far-reaching decisions, but they may never be able to make them when they are entitled to, because they are subjected to the legal authority of their ultra-orthodox and fundamentalist parents, who have an interest in not promoting the development of those capacities that enable them to make autonomous decisions in due time. More strongly, these parents will often actively hamper the development of those critical capacities that might enable the child to revise or reject their religious beliefs and practices. Autonomy liberals (e.g. Levinson, 1999) therefore argue that public schools have the explicit mission to overcome and compensate the failings of the mentioned religious upbringing and to strongly pursue the development of the student's critical capacities. Others, especially diversity liberals like Galston and Spinner-Halev, deal in our view sometimes rather half-heartedly or ambivalently with the inherent paradox of ultra-orthodox upbringing. For them it is of the utmost importance that adult members of religious communities have the right to exit and they acknowledge that exerting this right requires that adults have acquired certain mental dispositions, which in turn requires a particular kind of education. Nevertheless, this right, in our view, is conceived almost as a 'token' or 'alibi' right, because, as we will argue, it is based on too thin a conception of our (including the child's) psychological dispositions and their development and education. While the right to exit is a negative right, i.e. a right that corresponds with a duty of others not to prevent one from doing 'x', and not a right to receive or be assisted to do 'x', the negative right of adults implies that they should not be hindered in the development of their ability to exercise whatever the right allows them to. Moreover, according to the Convention on the Rights of the Child, children are entitled to education that is directed to 'the development of the child's personality, talents and mental and physical abilities to their fullest potential'. This means, of course, that the right to develop or receive education towards exercising negative rights, in this case the right to exit, is a positive right. After having explicated rather extensively

how particularly Galston and Spinner-Halev conceive of the right of exit, we will argue that being able to exercise this right presupposes a minimal but substantive conception of education and development.

THE RIGHT TO EXIT AND LEGITIMATE DIVERSITY

Citizens, according to Rawls, have the moral power to form, revise and pursue a conception of the good, and therefore adults within traditional or ultra-orthodox religious communities or sects have the right to reject or revise their inherited religious beliefs and practices. According to his political conception of liberalism, members of these communities are not required to give up or revise their illiberal constitutive ends in private life. They may simply regard it as unthinkable to view themselves apart from their inherited religious beliefs. Rawls acknowledges that a problem arises about the children who are educated in these groups (Rawls, 1993: 199). His political liberalism requires that children's education include such issues as knowledge of their constitutional and civic rights, so that they know that apostasy or exercising the right to exit is not a legal crime. To this Rawls adds: 'Moreover, their education should also prepare them to be fully cooperating members of society and enable them to be self-supporting; it should also encourage the political virtues so that they want to honour the fair terms of social cooperation in their relation with the rest of society' (Rawls, 1993: 199). Gutmann (1995) and Callan (1997) also claim that stressing the necessity of the promotion of civic virtues actually comes down to educating children according to a comprehensive liberal conception. While we will show that their position is not quite correct, we do agree with Snik who states that the right to exit not only conflicts with the central beliefs of the illiberal communities, but that it requires educational practices which are at right angles to the illiberal ones (Snik, 1999: 144).

Diversity liberalism is, roughly stated, focused on the protection of legitimate diversity. Diversity liberals argue that to place the ideal of autonomy at the core of liberalism is in fact to eliminate diversity. Legitimate diversity, however, does not imply that the liberal state is comprehensively neutral; this state is characterized by pursuit of a distinctive ensemble of liberal purposes, which, according to Galston, warrant public interference with group practices. He argues, for instance, that in the diversity model of free association, groups may be illiberal in their internal structure and practices but that this is only justified as long as the liberal purposes of freedom of entrance and exit are zealously safeguarded by the state (Galston, 1995: 533; 2002: 23). Other examples of these purposes are the protection of human life and the protection and promotion of normal development of basic capacities: the 'latter would allow the state to intervene against communities that bind infants' skulls or malnourish them in ways that

impede physical growth and maturation' (Galston, 2002: 23). It is striking that Galston offers an example in which 'basic capacities' are narrowed down to physical capacities. However, Galston explicitly states that the right to exit should be more than formal, implying that communities should not 'disempower individuals – intellectually, emotionally, or practically – from living successfully outside their bounds' (2002: 104). The exit right is a right of adults; for a child to be able to exercise this right in the future requires that she acquire the mentioned basic capacities; consequently, communities should empower children 'intellectually, emotionally, or practically'. After all, 'we are born into certain groups to which we do not choose to belong' and consequently the child's position does not fit into the classical model of voluntary associations (Galston, 1995: 533). For the exit right to be a meaningful right, Galston mentions four conditions, from which, in our view, the necessary elements of an upbringing and education that prepare the child for exercising this right can be extrapolated. These elements are: '*knowledge conditions* – the awareness of alternatives to the life one is in fact living; *capacity conditions* – the ability to assess these alternatives if it comes to seem desirable to do so; *psychological conditions* – in particular, freedom from the kinds of brainwashing and more broadly, forms of coercion other than the purely physical that give rise to warranted state interference on behalf of the affected individuals; *fitness conditions* – the ability of the individual to participate effectively in at least some ways of life other than the one she wishes to leave' (Galston, 1995: 553–4, our italics). These conditions evidently overlap and are interrelated; therefore, in briefly analysing some of the educational implications of the conditions, particularly of the intellectual and emotional dispositions, we will not comment on them separately. These conditions prohibit parents and teachers from withholding or conceal from children knowledge or awareness of other legitimate ways of life or conceptions of the good. Although parents and teachers alike have the right to assess and evaluate from their own religious perspectives these other ways of life and religions in no uncertain terms, their representation of these alternatives nevertheless must meet the knowledge condition. This condition also implies that the child's cognitive development should not be hampered by isolating the child in its own closed family circle or by preventing the child from acquiring the information that is needed for appraising her beliefs. The child can only assess the alternatives if she is not hindered or incapacitated by an overload of feelings of irrational fear, shame and guilt; neither should her capacities to do so be stunted by the mind-programming efforts of her educators, who for example might have inculcated her with thought-terminating clichés or interpretative short-cuts, like 'god or devil terms' (Spiecker, 1991). With regard to adults, according to Galston, the third condition allows for state intervention in case of certain forms of coercion other than the purely physical; the same intervention seems

to be justified when minors are subjected to forms of coercion, like denying children to go to school, which might prevent them from meeting the mentioned conditions and therefore possibly from exercising the right to exit later in life. Galston indeed agrees with Callan (1997) that parental actions fostering ethical servility, i.e. 'an ignorant apathy towards all alternatives to the ethical ideal I [a parent] inculcated during childhood' (Callan, 1997: 153), in children amount to illegitimate despotism (Galston, 2002: 105).

Can we then conclude that the conditions for making the right to exit a meaningful one not only help us to identify which forms of traditionalist or fundamentalist education are expressions of illegitimate despotism but also narrow down the scope of what can be conceived as legitimate diversity? Here Galston warns us to be cautious, for practical educational issues cannot be resolved on the plane of moral abstractions only. Parental decisions must be evaluated within the full context of influences, which also shape the child's development: 'And it is not enough to judge the intention of parents' educational decisions; we must also look at their concrete results' (Galston, 2002: 106). However, here the 'intention-success' distinction in our view is used rather unjustly; whether parental despotism is or is not illegitimate cannot be decided on the basis of the outcome of the child's development. A sexually or mentally abused child can still grow into a well-adjusted adult because of her genetic make-up and innumerable environmental influences, but that fact is hardly of any importance in assessing the immoral nature of the abuses. And the argument that there are youngsters from ultra-orthodox families who, despite the pressures of their parents and the community, manage to live successfully as law-abiding and responsible citizens in the outside world, does not justify suppressive educational intentions and practices because it is not known in general how many youngsters were successfully disempowered (the so-called 'false negatives' in empirical research). Thus, despite Galston's warning, we believe that the question should be answered affirmatively: taking both legitimate diversity and the right to exit seriously presupposes, as we will explain later, a somewhat robust conception of upbringing and schooling, one that at the least aims for minimal autonomy (or autarchy). It should be noted that taking the latter aim seriously still offers parents and educators a vast array of possibilities of initiating their children into a religious tradition. Vojak and Feinberg raise the same issue by posing the question which degree of autonomy Galston exactly considers necessary for exit-ability: 'This may prove to be a complicated question, for it is the most vulnerable and disempowered members of society (women, children, and minorities) who most fear the repercussions of exiting, and will most likely be held hostage under a plural value system that grants broad discretion to groups that wish to limit choice' (Vojak and Feinberg, 2004: 191).

Galston, so we conclude, adopts a rather ambivalent position regarding the right to exit; his probing analyses of how to make the right a meaningful one somehow do not fully affect or permeate his mission to take legitimate diversity seriously. Spinner-Halev, as we will demonstrate next, takes a half-hearted position regarding the right to exit. Later, we will suggest that the rather inconsistent views of both philosophers regarding this right may be partly elucidated by referring to the principled differences in liberal democracies between the legitimate aims of (orthodox) parental upbringing on the one hand and those of civic education in schools on the other.

Ultra-orthodox religious communities, or insular communities as Spinner-Halev calls them, need internal and external restrictions to retain their identity. However, not every restriction is acceptable in a liberal democratic state and therefore what is needed is a principle of non-intervention, which spells out the conditions that a community must meet in order to prevent intervention by the state into its practices. Following Raz's conditions of autonomy, Spinner-Halev sums up the following conditions: (1) people must be given a minimal education so that they can consider their options and function outside their community (the condition of appropriate mental abilities); (2) members should not be completely shielded from the larger society (the condition of having an adequate range of options from which to choose); (3) no one in the community should be coerced (condition of independence). 'In sum, there must be a real right to exit' (Spinner-Halev, 2000: 71). However, Spinner-Halev posits, the conditions needed to ensure this right are more minimal than many liberals think (2000: 57). We disagree with him on this evaluation. In our view, the first two conditions of non-intervention, in order to make sense, must also regard the educational intentions or efforts of parents and teachers; after all, people do not acquire these dispositions by virtue of their natural ability only. How seriously does Spinner-Halev take the right to exit? How consistent is he in assessing educational practices with the help of the conditions, which he explicitly subscribes? On the one hand, he argues that each community should educate their members in order for them to have the appropriate mental abilities and not coerce them. Members should not be denied basic education, because they should have a choice about their lives (2000: 47, 51, 54). This means that they should be taught reading and rudimentary knowledge in maths and science (2000: 79). On the other hand, he constricts the content of the mentioned conditions and educational intentions in a rather inadmissible way. First, 'appropriate mental abilities' are restricted to 'knowing that'; members of insular communities should know that they can exercise the right to exit (2000: 72). However, knowledge is only a necessary condition for a person to be able to exercise her right to exit. She also needs to acquire the so-called intellectual virtues and cognitive emotions and it

seems unlikely that these are stimulated in children in repressive or authoritarian education. Spinner-Halev understands that many children have difficulty straying from the paths of their parents: 'This can often be psychologically difficult. So what?' (2000: 75). To answer this rhetorical question: it all depends on the kind and level of pressure the children are subjected to. Severe emotional pressure or psychological coercion that will seriously hamper the development of the mentioned appropriate mental dispositions is in our view unacceptable and therefore does matter. Spinner-Halev seems to take a different view; he conceives coercion in upbringing almost exclusively in terms of physical coercion or harm (2000: 76, 79). Some Orthodox Jewish parents, so we are informed, have said the prayer for the dead when their child has married a non-Jew and this makes 'the choice of marrying a non-Jew rather daunting' (2000: 76). Spinner-Halev thinks this threat of being considered dead to be permissible in a liberal regime, and – though indeed pedagogically questionable – we agree with him, be it that in order to take the right to exit seriously the young adult must have had the opportunity to acquire the necessary mental dispositions to face this daunting choice. As these parents most probably will also raise their children in a strongly sheltered manner, for instance by strong censorship with regard to public information and condoning friendships within the community only (Ammerman, 1988), thereby intentionally discouraging the development of the relevant cognitive, emotional and volitional dispositions, Spinner-Halev's third condition probably will not be met and the right to exit then remains a purely formal one. The same therefore is true for the acclaimed choice that members of insular communities have about their lives. If this is interpreted as a substantial choice to stay within or leave one's religious community, this implies at least a minimal understanding of the pros and cons of this decision, including what it means to live in a liberal democracy, and the capacity to weigh one's personal beliefs and preferences. If the right to exit and having a choice about their lives are perceived as predominantly formal issues, the individual's right of freedom of conscience is subordinated to the group's right to uphold a religious doctrine (Kymlicka, 2002: 239) and the right of insular communities to survive takes precedence over the right of children to have a decent and basic upbringing and education; often the aim of education cannot be but ethical servility. In our view, Spinner-Halev's arguments for surviving diversity indeed imply that he takes a half-hearted position regarding the right to exit. To establish the legitimacy of diversity a consistent conception of the right to exit must be used.

So far we have referred to the mental abilities that enable a person to exercise the right to exit in a rather formal manner, in terms of relevant cognitive, affective and volitional capacities. In order to better understand

what these capacities might involve and how the child might acquire these dispositions we have to call upon the theories and research of developmental and moral psychologists. In the next section we will briefly draw upon both Kohlberg's structural developmental theory and Nucci's domain theory of moral development.

A LITTLE THEORY AND RESEARCH ABOUT MORAL DEVELOPMENT

Exercising the right to exit and making a choice how to arrange one's life also requires a certain level of moral reasoning; it is part of Rawls' second moral power, the so-called capacity for a conception of the good. Moral issues like loyalty to family members, personal integrity, feelings of shame and guilt, and the well-being of group members often deeply influence the mentioned mental abilities. Can we be more specific about this level? According to Kohlberg, moral development comprises three levels (pre-conventional, conventional and post-conventional) or six stages of moral reasoning and judgment; the core of each stage is an underlying conception of justice and each higher stage is more suitable for resolving justice problems (1981). For our inquiry stage 3 and 4 of the conventional level are of interest. The first, the interpersonal concordance or '*Good Boy-Nice Girl*' orientation, refers to good behaviour: behaviour which pleases or helps others and which is approved by them. There is conformity to stereotypical images of what is majority behaviour (Kohlberg, 1981: 18). Stage 4 is described by Kohlberg as '*Society Maintaining Orientation*', as an orientation towards legal authority, fixed rules and the maintenance of social order. The post-conventional level of moral reasoning is characterized by the effort to define the validity and application of moral values and principles apart from the authority of groups or persons holding these principles and apart from the individual's own identification with these groups (1981: 18). Although we acknowledge that there have been a lot of valid critical comments and complements on Kohlberg's theory and research, we think it justifiable to use his characterization of conventional moral reasoning or judgment as a heuristic device. It seems doubtful that a person who functions on stage 3 of this conventional level has the relevant cognitive – and the corresponding affective – moral capacities for making the right to exit a meaningful one. Staying within one's closed religious community predominantly because of painful feelings of guilt and shame regarding one's parents hardly qualifies as an adequate justification for such an incisive choice. Moreover, apostasy will perhaps be understood as a crime or a trespass of other fixed rules. Choices regarding religious beliefs and practices somehow seem to imply a personal decision, a weighing of reasons from a

more or less personal perspective. A person can personally commit herself to an authority, be it a holy text or sacred person, or to social rules that are meant to maintain a prevailing social order; this person's justifying moral reasons are characteristic of stage 4. In our view, this stage of moral reasoning will sufficiently enable a person to exercise the right to exit. This person governs herself by attuning her behaviour to self-accepted moral rules and this implies that in principle she can change her mind. Such an agent, who has the capacity to order her life according to a *nomos*, is called an *autarchic* person by Benn (1988). Though the autarchic person has not reached (Kohlberg's) post-conventional, autonomous or principled level of moral reasoning, she is morally self-governing and consequently morally accountable for, among innumerable other things, whether or not she exercises the right to exit. The essential difference between autarchy (Kohlberg's stage 4) and autonomy (stage 5) is located in the ability and tendency to reflect critically on the validity of moral rules (Steutel, 1991: 66). The autarchic person is convinced that her moral rules are valid and justified but she is not necessarily disposed and able to give a rational justification for these rules; for her the fact that a moral rule is part of a tradition can in itself be a good reason for complying with it. According to us, being both morally self-governing and accountable at the conventional, stage 4, level of moral reasoning is a necessary condition for exercising the right to exit, and in doing so a person at this stage of moral development demonstrates autarchic freedom as *minimal* autonomy (Steutel, 1991: 68).

Having stated that exercising the right to exit involves making personal choices with regard to religious beliefs and practices, we should also ask what is meant by personal development or, as Nucci would say, development within the personal domain. Nucci (2001) distinguishes between three logically distinct domains, which from a psychological perspective influence each other mutually: the conventional, the moral and the personal domain. The personal refers to a set of actions that define the boundaries of individual authority and behavioral discretion, and gives the individual a sense of 'agency instead of being a marionette scripted by socially inherited roles and contexts' (Nucci, 2001: 54). The child establishes the personal borders in dialogue with others, with social and cultural norms. The content of the personal domain is, Nucci emphasizes, the content of the individual's identified freedoms and the latter is a psychological condition for the individual to engage as an individual in the discourse that leads to moral reciprocity and mutual respect (2001: 73). Therefore, if the claims of freedom emerging from the personal domain are absent, there can hardly be a moral conception of rights: 'Thus, morality and personal freedom are interdependent rather than oppositional features of human development' (2001: 74). According to this psychological theory, which

is corroborated by empirical research, the child needs elbow or discretionary room in order to develop morally and to grasp the meaning of rights, including the concept of the right to exit. And are not especially children (and women) denied discretionary room in fundamentalist or ultra-orthodox religious communities? Children do have the psychological urge to create their own personal domain and despite the parental efforts to hamper this development many may indeed succeed in doing so, but again not all of them will be successful in that respect. For children to grasp the meaning of the right to exit in due time, they should be able to develop in the personal domain and this in turn excludes an upbringing and education which does shield them away from the world outside their own community.

The right to exit implies that a person has the capacity to make a personal decision and this in turn presupposes at least a level of minimal autonomy or personal independency. In our view, the latter disposition does not necessarily imply that one has fully grasped the meaning of the ideal of autonomy or that one personally subscribes to this ideal. The ideal of autonomy means that a person has critically reflected about the principles and values that she adheres to and that she is able to change her beliefs on the basis of her own critical evaluation of her current views and alternatives. Furthermore, she acts in accordance with these principles and does not give in to pressures of others. We use the concept 'ideal' deliberately. 'Ideals' refer to situations or traits of character that are conceived to be excellent and because of this are highly valued, but also difficult if not impossible to achieve (De Ruyter, 2003; Thiessen, 1993). In this sense, autonomy is an ideal *par excellence*. Not only is it excellent, it is impossible to be autonomous constantly; it is not a disposition or a characteristic that continuously permeates all segments of a person's life all the time. Next to the burdens of reasons (Rawls, 1993), sometimes due to pressing emotions and motivations, a person deliberately acts contrary to what her reasons, which are based on her critical thinking abilities, dictate. Nevertheless, in our view, this person is maximally autonomous if she subscribes to the ideal and has the capacities to think and act accordingly most of the time. Interestingly, although orthodox parents oppose to such a 'psychologically realistic' conception of maximal autonomy, it is not necessarily at odds with their intention to initiate their offspring into their conception of the good life with the aim of having them *personally* subscribe to their religious beliefs (De Ruyter, 2001). All too often the ideal of autonomy is seen as a spectre, which leads to a vanishing of all cultural and religious diversity. Diversity, however, should not be confused with group conformity; the former in our view is well served by the ideal of autonomy.

As is well known, with reference to Kohlberg's three levels of moral reasoning, Rawls distinguishes three forms of morality: morality of authority,

morality of association, and morality of principle (Rawls, 1972: 474). The latter distinction can indeed be a fruitful theoretical device too, but it should be kept in mind that Kohlberg's levels, unlike the forms of morality, represent a logical (irreversible and universal) sequence of (individual) development. Although according to Kohlberg's theory it is inconceivable for a person to function constantly at two different moral levels or different stages, it seems quite possible for a person to function in two different forms of morality. True, the institutions of a liberal democracy should and indeed are organized according to the principles (of justice) of the morality of principle, but at the same time the liberal state allows members of all kinds of voluntary associations to function and to arrange their lives strictly according to a morality of association. And a person can very well be a respected member of an orthodox-religious association and a good citizen at the same time; however, this person, because she has acquired the central liberal virtues, has a different perspective on the morality of association she underwrites than the non- or illiberal person. Her orientation towards and acceptance of for example the authority and strict rules of her community is closely associated with her understanding that a liberal democracy necessarily implies a pluralism of conceptions of the good. She will accept this authority and these rules only to the extent that these do not conflict with the principles of justice or fairness. For instance, orthodox believers do not perceive the different positions of men and women in their religious community as unjust, because both sexes are ordained with different roles but treated with the same respect. Her understanding and appreciation of the ideal of autonomy enables her to choose willingly for an autarchic way of life. Such a person functions at both stages 4 and 5; from stage 5 she adapts to the rules and reasoning within her community that are characteristic for stage 4. This implies, in our view, that the stages are not as irreversible as Kohlberg and Piaget want us to believe. Moreover, this person is both orthodox and autonomous, which leads to the more general conclusion that in principle orthodoxy and autonomy are not necessarily incompatible.

Nancy Rosenblum also argues that there is a psychological continuity between the origin and expression of moral dispositions in associations and the inclinations of public justice, that is, between our moral orientation *qua* community members and *qua* citizens (Rosenblum, 1998: 52). Looking back from the stage of morality of principle, and here Rosenblum quotes Rawls, 'persons understand their sense of justice as an extension of their natural attachments, as a way of caring about the collective good' (1998: 52). The question then arises of what might facilitate or promote this cognitive-affective restructuring of a morality of association or, phrased differently, how can a different perspective on one's morality of association be developed? Seeing or understanding a set of moral rules and practices of an association in

perspective necessarily implies that one has to cross or transcend the borders of that moral association. Therefore, as we argue later, in compulsory schooling or school education, children should not be confined in one, from their perspective involuntary, insular association, but as they develop be given opportunities to explore and venture into different (kinds of) associations and thus become acquainted with a diversity of rules and roles. From the standpoint of development, according to Rosenblum, a plurality of associations presenting an array of ideals and demands is crucial (1998: 51).

TWO DILEMMAS FOR THE LIBERAL STATE

Earlier we agreed with Snik's (1999: 144) conclusion that the right to exit not only conflicts with the central beliefs of illiberal communities, but that this right also requires educational practices which are at odds with illiberal ones. If parents educate their children towards ethical servility in order to ensure that their children will adopt their parents' faith, the liberal state is confronted with a dilemma: should either the right to exit of the child (as future citizen) or the right of parents to initiate their children into their religious beliefs and practices be toned down or limited? Is the child and its upbringing and schooling primarily an extension of the ideals of the parents or of those of the liberal state? An acceptable way out of this dilemma is that parental upbringing should minimally aim for autarchy, that is, for the child to become a self-governing and accountable adult, who at least is minimally autonomous. If this is accepted as a minimum standard, this means by implication that systematically trying to inculcate the child into ethical servility is to be understood as child neglect, i.e. a form of child abuse. Therefore, the state must, as Vojak and Feinberg (2004) also claim, retain the more proactive function of ensuring certain rights of the child apart from the parents' desires. This position would allow us to make two kinds of claim. First, one could argue that child neglect justifies the liberal state's intervention in the family. This may be defensible in principle, but should be rejected on practical utilitarian grounds for it will damage the well-being of both children and parents (and in the end the state) instead of serving it. First, it would lead to a policing state, because children themselves are not able to report the neglect as they can – in principle – in the case of physical abuse, for it demands precisely the capacities that they do not have. Second, it is questionable if intervention would be more beneficial to the child than non-intervention. Thus, we want to defend a second, milder, position. The liberal state can only try to compensate this form of child neglect by making civic education compulsory.

The right to exit is a right of citizens in a liberal democracy, and therefore

educating children towards autarchy in order to be able to make use of their right can be conceived as being part of civic education. This means that, if we take the right to exit seriously, civic education should be compulsory for all students. What can be the content of civic education that the liberal democratic state may enforce upon all pupils? Now the state seems to face another dilemma: on the one hand it would want to go beyond the minimal level of autarchy in preparing students to become citizens of a liberal democracy who have capacities and dispositions which might resemble those characteristic for autonomy (position a) but, on the other hand, education that aims for autarchy is more fully in line with the liberal character of the state because it does not impose a conception of the good life on the students (position b).

This dilemma enables us to gain a better insight into the positions of Galston and Spinner-Halev. In arguing for the importance of the knowledge, capacities and psychological conditions for the right to exit as described earlier, Galston seems to defend an education that aims for more than minimal autonomy or autarchy (close to position a). In our view this could only be applicable to *schooling or school education*, because the requirements he proposes go beyond the aims defensible for parental upbringing. If we would extrapolate all conditions of schooling to upbringing, the parental right to raise their child towards autarchy regarding their conception of the good might be denied. Spinner-Halev's arguments, on the other hand, seem to refer primarily to *parental upbringing* and are, in our view, not valid for schooling or school education in liberal democracies, because he does not seem to underwrite the aim of autarchy (position b). Moreover, we believe that Spinner-Halev does not distance himself sufficiently from an upbringing that is intended to stall the child's development at the level of ethical servility, thereby violating the child's right to a normal development.

If we take the right to exit seriously, civic education not only involves teaching students that they have rights; it also comprises teaching them how to exercise the basic rights, including the right to exit. Next to having knowledge of alternatives to the life one lives, students must know how to assess these alternatives. This also implies that students should be guarded against forms of brainwashing and coercion that form part of mind-programming efforts of ultra-orthodox teachers. The state, in our view, has a duty to ascertain that children at least acquire the minimally necessary dispositions, namely autarchy, to exercise the freedom rights later in life, and that no student leaves school with the dispositions characteristic for ethical servility (position b).

Does the position we have defended imply that diversity is endangered? The answer is 'yes', if diversity were to include groups who systematically ignore the right to exit. If we conceptualize diversity as legitimate diversity, which is essentially connected to the right to exit, the answer must be 'no'. Therefore,

Galston and Spinner-Halev can be more unequivocal with regard to the right to exit and diversity than they are.

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